

AMENDED IN ASSEMBLY APRIL 24, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 2203**

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**Introduced by Assembly Member V. Manuel Pérez**

February 23, 2012

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An act to amend, *repeal, and add* Sections 48200 and 48210 of the Education Code, relating to compulsory education.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2203, as amended, V. Manuel Pérez. Compulsory education: children 5 years of age.

Under existing law, a person between the ages of 6 and 18 years who is not exempted by law is subject to compulsory full-time education. Existing law excludes a child under 6 years of age from the public schools, subject to specified exceptions.

*Existing law requires a school district maintaining a kindergarten to admit a child who will have his or her 5th birthday on or before certain specified dates during that school year.*

This bill, *commencing with the 2014–15 school year*, would instead provide that a person from 5 to 18 years of age, inclusive, who is not exempt by law is subject to compulsory education, and would exclude children under 5 years of age from the public schools, except as specified. By increasing the duration of compulsory education provided by public schools, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 48200 of the Education Code is amended  
2 to read:

3 48200. (a) Each person from ~~5~~ 6 to 18 years of age, inclusive,  
4 not exempted under this chapter or Chapter 3 (commencing with  
5 Section 48400) is subject to compulsory full-time education. Each  
6 person subject to compulsory full-time education and each person  
7 subject to compulsory continuation education not exempted under  
8 Chapter 3 (commencing with Section 48400) shall attend the public  
9 full-time day school or continuation school or classes and for the  
10 full time designated as the length of the schoolday by the governing  
11 board of the school district in which the residency of either the  
12 parent or legal guardian is located and each parent, guardian, or  
13 other person having control or charge of the pupil shall send the  
14 pupil to the public full-time day school or continuation school or  
15 classes and for the full time designated as the length of the  
16 schoolday by the governing board of the school district in which  
17 the residence of either the parent or legal guardian is located.

18 (b) Unless otherwise provided for in this code, a pupil shall not  
19 be enrolled for less than the minimum schoolday established by  
20 law.

21 (c) *This section shall become inoperative on July 1, 2014, and,*  
22 *as of January 1, 2015, is repealed, unless a later enacted statute,*  
23 *that becomes operative on or before January 1, 2015, deletes or*  
24 *extends the dates on which it becomes inoperative and is repealed.*

25 SEC. 2. Section 48200 is added to the Education Code, to read:

26 48200. (a) *Commencing with the 2014–15 school year, each*  
27 *person from 5 to 18 years of age, inclusive, not exempted under*  
28 *this chapter or Chapter 3 (commencing with Section 48400) is*  
29 *subject to compulsory full-time education. Each person subject to*  
30 *compulsory full-time education and each person subject to*  
31 *compulsory continuation education not exempted under Chapter*

1 3 (commencing with Section 48400) shall attend the public full-time  
2 day school or continuation school or classes and for the full time  
3 designated as the length of the schoolday by the governing board  
4 of the school district in which the residency of either the parent  
5 or legal guardian is located. Each parent, guardian, or other  
6 person having control or charge of the pupil shall send the pupil  
7 to the public full-time day school or continuation school or classes  
8 and for the full time designated as the length of the schoolday by  
9 the governing board of the school district in which the residence  
10 of either the parent or legal guardian is located.

11 (b) Unless otherwise provided for in this code, a pupil shall not  
12 be enrolled for less than the minimum schoolday established by  
13 law.

14 (c) This section shall become operative on July 1, 2014.

15 ~~SEC. 2.~~

16 SEC. 3. Section 48210 of the Education Code is amended to  
17 read:

18 48210. (a) Children under ~~five~~ six years of age are excluded  
19 from the public schools, except as provided in this code.

20 (b) This section shall become inoperative on July 1, 2014, and,  
21 as of January 1, 2015, is repealed, unless a later enacted statute,  
22 that becomes operative on or before January 1, 2015, deletes or  
23 extends the dates on which it becomes inoperative and is repealed.

24 SEC. 4. Section 48210 is added to the Education Code, to read:

25 48210. (a) Commencing with the 2014–15 school year,  
26 children under five years of age are excluded from the public  
27 schools, except as provided in this code.

28 (b) This section shall become operative on July 1, 2014.

29 ~~SEC. 3.~~

30 SEC. 5. If the Commission on State Mandates determines that  
31 this act contains costs mandated by the state, reimbursement to  
32 local agencies and school districts for those costs shall be made  
33 pursuant to Part 7 (commencing with Section 17500) of Division  
34 4 of Title 2 of the Government Code.